

REMARKS

This Amendment addresses the outstanding Office Action dated December 11, 2008. Applicants respectfully request favorable reconsideration of this application, as amended.

As a preliminary matter, Applicants acknowledge with appreciation the courtesies extended to Applicants' representatives during the telephonic interview conducted on April 13, 2009. The substance of the interview is incorporated in these remarks.

By this Amendment, independent Claims 27 and 43 have been amended to recite certain features of Applicants' invention with greater particularity. New Claims 53-57 have been added in order to provide more comprehensive protection for certain aspects of Applicant's invention. Claims 28-29, 32-34, 36, and 40 have been cancelled without prejudice or disclaimer in view of the amendments to Claim 27.

In the outstanding Office Action, Claims 27-29, 32, 35-36, and 39-40 were rejected under 35 C.F.R. § 102(b) as being anticipated by Luthi; Claims 30-31, 33-34, 37-38, and 41-42 were rejected under 35 C.F.R. § 103(a) as being unpatentable over Luthi in view of Matsumiya; and Claims 43-52 were rejected under 35 C.F.R. § 103(a) as being unpatentable over Patzelt in view of Lane.

Without acceding to the rejections, Claim 27 has been amended more particularly to recite that the plurality of

first plates are steering column reach adjustment plates, and the plurality of second plates are steering column rake adjustment plates. Amended Claim 27 further recites that all steering column reach adjustment plates of the clamping apparatus are made of a same first material, and all steering column rake adjustment plates of the clamping apparatus are made of a same second material.

Luthi fails to teach or suggest at least these features. Note, for example, that Luthi's reach adjustment plates (70-74) include at least one soft plate and the rest hard plates, and his rake adjustment plates (60-64) include at least one soft plate and the rest hard plates. As such, Luthi's reach adjustment plates and rake adjustment plates have respective combinations of soft and hard plates. In contrast, in Applicants' invention as now set forth in Claim 27, all reach adjustment plates of the clamping apparatus are made of the same first material, and all rake adjustment plates of the clamping apparatus are made of the same second material.

Claim 27 therefore, distinguishes patentably from Luthi. Furthermore, Matsumiya fails to remedy the deficiencies of Luthi with respect to Claim 27.

Accordingly, Claim 27 and its dependents should now be allowed.

As to independent Claim 43, it is apparent that neither Patzelt nor Lane teaches or suggests a clamping apparatus comprising at least two substantially flat plates that can be clamped to one another, the plates having clamping surfaces that slide relative to one another in a collision, the respective clamping surfaces being made of materials of different hardnesses such that, during the relative sliding of the clamping surfaces in a collision, the material of lower hardness is sheared by the material of higher hardness and a build-up of the sheared material is formed between the clamping surfaces so as to increase a clamping load.

Note, for example, that the locking bush (7'), clamping cheeks (19') and flange (10') in Patzelt are not substantially flat plates having clamping surfaces that slide relative to one another, and neither is the spool sleeve (78) or the cutter (94) in Lane.

Furthermore, Lane's cutter (94) does not shear the spool sleeve (78) in a collision. Instead, it is the cutting element (100) which protrudes from the cutter (94) that cuts the spool sleeve (78). This cutting element (100), however, is not a substantially flat plate that slides relative to the spool sleeve (78).

Moreover, one of ordinary skill in the art would not have been motivated to combine the teachings of Lane with the teachings of Patzelt as proposed in the outstanding rejection. Patzelt is concerned with locking the steering

wheel in a particular position before the occupant impacts on the steering wheel during a car crash, whereas Lane is concerned with a seat belt mechanism that allows the seat belt to slowly restrain the occupant from moving forward during a collision. Applicants respectfully submit that seat belts and adjustable steering columns are not similar devices and as such, one of ordinary skill in the art of the invention would not have resorted to Lane as a basis to modify Patzelt in any manner relevant to Applicants' invention as defined in Claim 43.

Therefore, Claim 43 and its dependents distinguish patentably from Patzelt taken alone or in combination with Lane.

Accordingly, Applicants respectfully request that the outstanding rejections be withdrawn and that this application now be passed to issue.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (XA-10290) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

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By: /Otilia Gabor/
Mitchell W. Shapiro
Reg. No. 31,568

Miles & Stockbridge, P.C.
1751 Pinnacle Drive
Suite 500
McLean, Virginia 22102-3833
(703) 903-9000

Otilia Gabor
Reg. No. 60,217